

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

DANIEL ARREOLA,

Plaintiffs,

v.

MONEY RECOVERY NATIONWIDE,

Defendants.

Case No.: 2:17-cv-12076

NOTICE OF REMOVAL

Defendant, Money Recovery Nationwide (“Defendant”), hereby gives notice of removal of this action from the State of Michigan 40th Judicial District located in St. Clair Shores, Michigan to the United States District Court for the Eastern District of Michigan pursuant to 28 U.S.C. §§ 1331, 1441 and 1446. In support thereof, Defendant states:

1. On or about May 24, 2017, Plaintiff Daniel Arreola (“Plaintiff”) filed the above captioned civil action in the State of Michigan 40th Judicial District.

2. Defendant was served with the Complaint on May 30, 2017.

Accordingly, this Notice of Removal has been timely filed pursuant to 28 U.S.C. § 1446(b).

3. This matter is a civil action over which this Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be properly removed

pursuant to 28 U.S.C. §§ 1441 and 1446, as the claims asserted in the Complaint arise under the laws of the United States and raise one or more federal questions.

4. Plaintiff's complaint purports to assert violations of the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. § 1681 *et seq.*

5. The district courts of the United States have original jurisdiction in civil actions arising under the FCRA.

7. Defendant removes this action to the United States District Court for the Eastern District of Michigan because it is the venue that encompasses St. Clair Shores, Michigan. Defendant removes this action without prejudice to Defendant's right to seek transfer of this action pursuant to 28 U.S.C. § 1404, if and as appropriate.

8. True and correct copies of the following are attached to this Notice of Removal:

- (a) all process, pleadings and orders which have been served upon Defendant in this action are contained in this filing in accordance with 28 U.S.C. § 1446(a) and this Court's ECF guidelines; and
- (b) the Notice of Filing of Notice of Removal which has been served upon Plaintiff and filed with the Clerk of Court for the 47th Judicial Court of Michigan is attached hereto as **Exhibit A** in accordance with 28 U.S.C. § 1446(d).

9. Based upon the foregoing, this action is properly removed on the

basis of federal question jurisdiction pursuant to 28 U.S.C. §§ 1331, 1441 and 1446.

WHEREFORE, Defendant Money Recovery Nationwide requests that this action proceed in the United States District Court for the Eastern District of Michigan.

Respectfully Submitted,

/s/ Charity A. Olson
Charity A. Olson (P68295)
OLSON LAW GROUP
2723 S. State St., Ste. 150
Ann Arbor, MI 48104
Tel: (734) 222-5179
Fax: (866) 941-8712
colson@olsonlawpc.com

Dated: June 26, 2017

CERTIFICATE OF SERVICE

I, Charity A. Olson, hereby certify that on June 26, 2017, a copy of the foregoing Notice of Removal was filed via the Court's ECF system and served upon the following parties as follows:

Via FedEx Standard Overnight and U.S. First Class Mail

State of Michigan
40th Judicial District Court
Civil Clerk
27701 Jefferson Ave.
St. Clair Shores, MI 48081

Via U.S. First Class Mail

Daniel Arreola
1503 Shore Club Dr.
St. Clair Shores, MI 48080

/s/ Charity A. Olson
Charity A. Olson

PLAINTIFF'S COMPLAINT

Original - Court
1st copy - Plaintiff
2nd copy - Defendant

Approved, SCAO

STATE OF MICHIGAN 40th JUDICIAL DISTRICT	DEMAND AND ORDER FOR REMOVAL Small Claims	CASE NO. 17-0871- - SC - GC
Court address 27701 Jefferson Ave, St. Clair Shores, MI 48081		Court telephone no. (586) 445-5280

Plaintiff's name, address, and telephone no.

DANIEL ARREOLA
1503 Shore Club Dr
St Clair Shores, MI 48080
734-552-4016

v

Personal service

Defendant's name, address, and telephone no.

MONEY RECOVERY NATIONWIDE
8155 EXECUTIVE COURT SUITE 10
LANSING, MI 48917
800-541-1370

Personal service

This demand is made by ☒ plaintiff. ☐ plaintiff's attorney. ☐ defendant. ☐ defendant's attorney.

DEMAND

I demand that this case be removed from the small claims division to the general civil division of the court.

Date

Attorney's name, address, and telephone no. (party demanding removal)

6-12-17

Signature of party demanding removal

Name (type or print)

Address

City, state, zip

Telephone no.

DANIEL ARREOLA
1503 Shore Club Dr
St Clair Shores, MI 48080
734-552-4016

ORDER

IT IS ORDERED: This case is removed to the general civil division of the court for further proceedings. The defendant has 14 days from the date of this order to file a written answer and serve it on the other party or take other lawful action with the court. If the defendant does not answer or take other action within the time allowed, judgment may be entered for the relief demanded in the complaint.

Date

Judge/Attorney magistrate

Bar no.

6-15-17

Matthew R. Rumora
P24361

CERTIFICATE OF MAILING

I certify that on this date I served a copy of this demand and order on the parties or their attorneys by first-class mail addressed to their last-known addresses as defined by MCR 2.107(C)(3).

JUN 15 2017

Date

Court clerk

V. Dethapann

Approved, SCAO

Original - Court (with instructions)
1st copy - Defendant (with instructions)2nd copy - Plaintiff (with instructions)
3rd copy - Return (with proof of service)

STATE OF MICHIGAN 40 th JUDICIAL DISTRICT	AFFIDAVIT AND CLAIM Small Claims	CASE NO. 17-0871-SC
Court address 27701 SEGERSON AVE St Clair Shores, MI 48081		Court telephone no. 586-445-5280

See additional notice and instructions on the back of plaintiff and defendant copies.

1. Daniel Arreola -734-552-4016
Plaintiff1503 Shore Club Dr
AddressSt Clair Shores MI 48080
City, state, zip Telephone no.2. Money Recovery Nationwide
Defendant8155 Executive Court Suite 10
AddressLANSING MI 48917 800-541-1370
City, state, zip Telephone no.

NOTICE OF HEARING

For Court Use Only

The plaintiff and the defendant must be in court on

THURSDAY

SEPTEMBER 14, 2017

Day

Date

at 1:30 P.M.

at the court address above.

Time

Location

Process server's name

Fee paid: \$

- ☐ 3. A civil action between these parties or other parties arising out of the transaction or occurrence alleged in this complaint has been previously filed in _____ Court. The case number, if known, is _____.
- The action ☐ remains ☐ is no longer pending.

4. I have knowledge or belief about all the facts stated in this affidavit and I am
☒ the plaintiff or his/her guardian, conservator, or next friend. ☐ a partner. ☐ a full-time employee of the plaintiff.

5. The plaintiff is ☒ an individual. ☐ a partnership. ☐ a corporation. ☐ a sole proprietor. ☐ Other _____

6. The defendant is ☐ an individual. ☐ a partnership. ☒ a corporation. ☐ a sole proprietor. ☐ Other _____

7. The date(s) the claim arose is/are 5-10-2017
 Attach separate sheets if necessary

8. Amount of money claimed is \$ 3000.00
 (NOTE: Plaintiff's costs are determined by the court and awarded as appropriate. They are not part of the amount claimed.)

9. The reasons for the claim are: Violation of the Fair Credit Reporting Act
 ACT # 737 944 # 382 619
 # 580 929

10. The plaintiff understands and accepts that the claim is limited to \$5,500 by law and that the plaintiff gives up the rights to (a) recover more than this limit, (b) an attorney, (c) a jury trial, and (d) appeal the judge's decision.

11. I believe the defendant ☒ is ☐ is not mentally competent. I believe the defendant ☒ is ☐ is not 18 years or older.

12. ☐ I do not know whether the defendant is in the military service. ☒ The defendant is not in the military service.
☐ The defendant is in the military service.

Signature

Subscribed and sworn to before me on 5/24/17, _____ County, Michigan.

My commission expires: _____
Date

Signature: _____

Deputy clerk/Notary public

Notary public, State of Michigan, County of _____

The defendant(s) must be served by 08/24/17
Expiration date